

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7371 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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AHMED ABDUL SHUKAR

Versus

STATE OF GUJARAT

Appearance:

MR PJ VYAS for Petitioners

MR VM PANCHOLI, AGP, for Respondent No. 1

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 24/06/1999

ORAL JUDGEMENT

Heard Mr P.J. Vyas for the petitioner and Mr V.M.Pancholi, learned AGP, for the respondents.

2 The petitioner has challenged the order passed by the State Government rejecting the petitioner's application for exemption under section 20(1) of the Urban Land (Ceiling & Regulation) Act, 1976. The authorities have not taken possession of the land in question from the petitioner which fact is not in dispute, as per the instructions received by the learned A.G.P. from Mr Vyas, from the office of Deputy Collector, Surat.

3 The Urban Land (Ceiling & Regulation) Act, 1976 has been repealed by the Urban Land (Ceiling & Regulation) Repeal Act, 1999, as adopted by the Gujarat State Legislative Assembly as per the resolution dated 30th March 1999, passed under Article 252(2) of the Constitution. In view of the provisions of the aforesaid Repeal Act, 1999, the order impugned in the present petition does not survive and all the proceedings under the Urban Land (Ceiling & Regulation) Act, 1976 in respect of the land in question as well as the present petition have abated.

4 The petition is accordingly disposed of as having abated. There shall be no order as to costs.

(M S SHAH, J.)
(mohd)